

MELINDA HAAG (CABN 132612)
United States Attorney

J. DOUGLAS WILSON (DCBN 412811)
Chief, Criminal Division

PATRICIA J. KENNEY (CABN 130238)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102-3495
Telephone: 415.436.6857
Facsimile: 415.436.7234
Email: patricia.kenney@usdoj.gov

Attorneys for Plaintiff United States of America

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

CASE NO. 14-0780 SC

Plaintiff.

**STIPULATION AND ORDER
RE: SCHEDULING**

v.

Defendant

\$209,815 IN UNITED STATES CURRENCY,

JULIO FIGUEROA

Claimant

JULIO FIGUEROA,
Claimant.

1 The parties through their undersigned counsel agree, subject to the Court's approval, to the
 2 following briefing schedule in connection with the supplemental briefing on the Government's
 3 Summary Judgment Motion and the remaining briefing on the Motion of the United States to Strike and
 4 counsel also agree, subject to the Court's approval, to take the case management conference currently
 5 scheduled for August 22, 2014 (in the Stipulation and Order entered on April 24, 2014) off calendar:

- 6 1. Claimant shall file a supplemental brief of no more than five (5) pages limited to arguments in
 opposition to the Government's Motion for Summary Judgment based on their newly served
 Amended Supplemental Verified Response to the United States' Special Interrogatories on or
 before August 22, 2014;
- 7 2. The Government shall file a supplemental brief of no more than five (5) pages limited to
 arguments responsive to those raised in Claimant's supplemental brief on the newly served
 Amended Supplemental Verified Response to the United States' Special Interrogatories on or
 before August 29, 2014;
- 8 3. Claimant shall file his response to the Government's Motion to Strike on or before August 22,
 2014;
- 9 4. The Government shall file its reply in support of its Motion to Strike on or before August 29,
 2014;
- 10 5. The case management conference scheduled for August 22, 2014 shall be taken off calendar until
 after the pending motions are resolved; and
- 11 6. The hearing on the Government's Motion to Strike shall be at 10:00 a.m. on September 19, 2014.

12 Unless the schedule is revised, claimant's supplemental brief in connection with his Amended
 13 Supplemental Verified Response in support of his opposition to the government's summary judgment
 14 motion is due to be filed on August 15, 2014 and the response of the United States to that supplemental
 15 brief is due to be filed on August 22, 2014; and claimant's response to the government's Motion to
 16 Strike is due on August 13, 2014 and the reply of the United States to that response is due on or before
 17 August 20. *See Order, etc., filed August 6, 2014.*

18 ///

19 ///

The reasons for requesting the rescheduling are that (1) the undersigned Assistant United States Attorney has pre-approved vacation leave scheduled for a pre-paid vacation the week from August 16, 2014 to August 23, 2014, and would lose the money already expended for airfare and lodging if she has to adhere to the current schedule; and (2) counsel for claimant is scheduled to be out-of-the-country on September 5, 2014.

7 IT IS SO STIPULATED:

MELINDA HAAG
United States Attorney

PATRICIA J. KENNEY
Assistant United States Attorney
Attorneys for the United States

Dated: August 5, 2014

LAW OFFICES OF DAVID M. MICHAEL

Dated: August 1, 2014

**DAVID M. MICHAEL
EDWARD M. BURCH**
Attorneys for Julio Figueroa

PURSUANT TO THE FOREGOING STIPULATION THIS ORDER SUPERSEDES THE SCHEDULING ORDER WHICH THE COURT ISSUED ON AUGUST 6, 2014, AND IT IS ORDERED THAT THE PARTIES ADHERE TO THE FOLLOWING, REVISED SCHEDULE:

1. CLAIMANT'S SUPPLEMENTAL BRIEF OF NO MORE THAN FIVE (5) PAGES LIMITED TO ARGUMENTS IN OPPOSITION TO THE GOVERNMENT'S MOTION FOR SUMMARY JUDGMENT BASED ON HIS NEWLY SERVED AMENDED SUPPLEMENTAL VERIFIED RESPONSE TO THE UNITED STATES' SPECIAL INTERROGATORIES SHALL BE FILED ON OR BEFORE AUGUST 22, 2014;
2. THE GOVERNMENT SHALL FILE A SUPPLEMENTAL BRIEF OF NO MORE THAN FIVE (5) PAGES LIMITED TO ARGUMENTS RESPONSIVE TO THOSE RAISED IN CLAIMANT'S SUPPLEMENTAL BRIEF ON THE NEWLY SERVED AMENDED

1 SUPPLEMENTAL VERIFIED RESPONSE TO THE UNITED STATES' SPECIAL
2 INTERROGATORIES ON OR BEFORE AUGUST 29, 2014;

3 3. ONCE THE GOVERNMENT FILES ITS SUPPLEMENTAL BRIEF, THE MOTION FOR
4 SUMMARY JUDGMENT WILL BE TAKEN UNDER SUBMISSION AND NO
5 ARGUMENT WILL BE HELD UNLESS OTHERWISE ORDERED, SEE CIV.L.R. 7-1(b);
6 4. CLAIMANT SHALL FILE HIS RESPONSE TO THE GOVERNMENT'S MOTION TO
7 STRIKE ON OR BEFORE AUGUST 22, 2014;
8 5. THE GOVERNMENT SHALL FILE ITS REPLY IN SUPPORT OF ITS MOTION TO
9 STRIKE ON OR BEFORE AUGUST 29, 2014;
10 6. THE GOVERNMENT'S MOTION TO STRIKE WILL BE HEARD AT 10:00 A.M. ON
11 SEPTEMBER 19, 2014; AND
12 7. THE CASE MANAGEMENT CONFERENCE CURRENTLY SCHEDULED FOR
13 AUGUST 22, 2014 SHALL BE TAKEN OFF CALENDAR UNTIL AFTER THE
14 PENDING MOTIONS ARE RESOLVED.

15 Dated: AUGUST 11, 2014

16 
17 THE HONORABLE SAMUEL CONTI
18 United States District Judge